

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

RIO PIEDRAS EXPLOSION
LITIGATION

Consolidated Case
Civil No. 96-2443(JAF)

ORDER

On November 29, 2004, Attorney Francisco Troncoso filed a motion entitled "Motion Regarding Checks in Clerk's Office Belonging to Minors and Others" (**Docket No. 3758**) and the next day, November 30, 2004, he filed an "Informative Motion" (**Docket No. 3759**). Basically, counsel reports that among the funds (checks) deposited with the Clerk of Court, there are funds payable to:

- (a) Two (2) checks of his clients who are minors but have not been identified as such. Reportedly, these minor plaintiffs are: Adela María Carrillo-Claudio (#0502); and Carlos E. Malavé-García (#0459).
- (b) Yolanda Ibern-Hernández (#0048), who is a person mentally incapacitated and under tutorship.
- (c) Two adult plaintiffs named Carmen González-Martínez (#0046) and Hipólita Hernández-Resto (#0047), who are deceased.

The information on record shows that the amounts originally awarded to the two (2) minor plaintiffs mentioned at paragraph (a) were deposited with the Clerk of Court, Court of First Instance, San Juan Part, under Civil Case No. KGV04-2377(604).

Consistent with prior directives of this Court, the Clerk of Court at the Federal District Court for the District of Puerto Rico is hereby instructed to transfer the funds consigned on behalf of the two minor plaintiffs to the custody and control of the Court of First Instance, San Juan Part,

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under Civil Case No. KGV04-2377(604). Information provided by Attorney Troncoso reveals that the account number for each of the minor plaintiff is identified as follows:

1. Adela María Carrillo-Claudio
Civil Case No. KGV04-2377(604)
Account No. 281007096, Doral Bank
Amount Consigned: \$11,485.00
I.D. No. 0502
2. Carlos E. Malavé-García
Civil Case No. KDP-97-2295(1003)
Account No. 281007286, Doral Bank
Amount Consigned: \$1,005.00
I.D. No. 0459

The Clerk of Court is further **ORDERED** to transfer to the Court of First Instance, San Juan Part, under Civil Case No. KGV04-2377(604) the funds (\$12,920.00) to be disbursed on behalf of plaintiff Yolanda Ibern-Hernández, I.D. No. 0048.

Notice is to be provided by Attorney Francisco Troncoso to the guardian or custodian of plaintiff Ibern-Hernández.

The funds actually consigned with the Clerk of Court on behalf of plaintiffs Carmen González-Martínez (I.D. No. 0046) and Hipólita Hernández-Resto (I.D. No. 0047), which is \$861.00 per plaintiff, are to be kept under the custody of the Clerk of Court.

Attorney Troncoso is **GRANTED forty-five (45) days** to submit the corresponding declarations of heirships so as to enable disbursement of said funds to the proper parties.

SO ORDERED.

At San Juan, Puerto Rico, this 3rd day of December, 2004.

S/ AIDA M. DELGADO-COLON
U.S. Magistrate-Judge